

**REMARKS**

Claims 1-20 are pending in the application; the status of the claims is as follows:

Claims 1, 6, 7, 13, 14, 17, and 18 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,151,073 to Steinberg et al. ("Steinberg").

Claims 4, 5, and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Steinberg in view of U.S. Patent No. 6,069,659 to Nakajima ("Nakajima").

Claims 2, 3, 15, and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Steinberg in view of U.S. Patent No. 6,278,490 B1 to Fukuda et al. ("Fukuda").

Claims 8-12 and 16 are objected to as being dependent upon a rejected base claim, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The indication, in the Office Action, that the Information Disclosure Statement, along with the PTO Form 1449 that was filed on March 10, 2000, is not found in the instant application, is noted. Attached are true and accurate copies of the Information Disclosure Statement, along with the PTO Form 1449 that was filed on March 10, 2000.

The indication, in the Office Action, that the Examiner has no objections to the drawings filed on March 22, 2004 (Post Card stamp shows March 22 instead of March 24), is noted with appreciation.

Claims 1, 14, and 18 have been amended to include the limitation of an interpolator, such as that found in original claim 8. These changes do not introduce any new matter.

The objection to claims 8-12 and 16 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, is respectfully traversed based on the following.

Claims 8-12 depend from independent base claim 1. As will be shown below, claim 1 is unanticipated by Steinberg, and thus, claims 8-12 are unanticipated for at least the same reasons.

Claim 16 depends from independent base claim 14. As will be shown below, claim 14 is unanticipated by Steinberg, and thus claim 16 is unanticipated for at least the same reasons.

Accordingly, it is respectfully requested that the objection to claims 8-12 and 16 as being dependent upon a rejected base claim, be reconsidered and withdrawn.

**35 U.S.C. § 102(e) Rejection**

The rejection of claims 1, 6, 7, 13, 14, 17, and 18 under 35 U.S.C. § 102(e) as being anticipated by Steinberg, is respectfully traversed based on the following.

Claim 1 has been amended to include the limitation from claim 8 of an interpolator. As the Office Action indicates claim 8 would be allowable if rewritten in independent form, claim 1, which incorporates the interpolator limitation of claim 8, is considered allowable.

Claims 6, 7, and 13 depend from claim 1. As claim 1 is considered allowable, claims 6, 7, and 13 are considered allowable for at least the same reasons. Objected to claims 8-12 also depend from claim 1. As claim 1 is considered allowable, claims 8-12 are considered allowable for at least the same reasons.

Claim 14 has been amended in a manner similar to claim 1 in that it incorporates the interpolator limitation found in claim 16. As the Office Action indicates claim 16 would be allowable if rewritten in independent form, claim 14, which incorporates the interpolator limitation of claim 16, is considered allowable.

Claim 17 depends from claim 14. As claim 14 is considered allowable, claim 17 is considered allowable for at least the same reasons. Objected to claim 16 also depends from claim 14. As claim 14 is considered allowable, claim 16 is considered allowable for at least the same reasons.

Claim 18 has been amended in manner similar to claim 1 in that the method of claim 18 requires interpolating photographic data as found in the limitation of claim objected to claim 8. Claim 18 thus generally corresponds to the method carried out by the apparatus of claim 1. Claim 18 is therefore considered allowable for at least the same reasons as claim 1.

Accordingly, it is respectfully requested that the rejection of claims 1, 6, 7, 13, 14, 17, and 18 under 35 U.S.C. § 102(e) as being anticipated by Steinberg, be reconsidered and withdrawn.

### **35 U.S.C. § 103(a) Rejections**

The rejection of claims 4, 5, and 20 under 35 U.S.C. § 103(a), as being unpatentable over Steinberg in view of Nakajima, is respectfully traversed based on the following.

As discussed above, claim 1 has been amended to incorporate the interpolator limitation of claim 8, and is therefore considered allowable. Claims 4 and 5 depend from claim 1. As claim 1 is considered allowable, claims 4 and 5 are considered allowable for at least the same reasons.

Also as discussed above, claim 18 has been amended to incorporate a method step corresponding to the interpolator limitation of claim 8, and is therefore considered allowable. Claim 20 depends from claim 18. As claim 18 is considered allowable, claim 20 is considered allowable for at least the same reasons.

Accordingly, it is respectfully requested that the rejection of claims 4, 5, and 20 under 35 U.S.C. § 103(a) as being unpatentable over Steinberg in view of Nakajima, be reconsidered and withdrawn.

The rejection of claims 2, 3, 15, and 19 under 35 U.S.C. § 103(a), as being unpatentable over Steinberg in view of Fukuda, is respectfully traversed based on the following.

As discussed above, claim 1 has been amended to incorporate the interpolator limitation of claim 8, and is therefore considered allowable. Claims 2 and 3 depend from claim 1. As claim 1 is considered allowable, claims 2 and 3 are considered allowable for at least the same reasons.

As discussed above, claim 14 has been amended to incorporate the interpolator limitation of claim 16, and is therefore considered allowable. Claim 15 depends from claim 14. As claim 14 is considered allowable, claim 15 is considered allowable for at least the same reasons.

Also as discussed above, claim 18 has been amended to incorporate a method step corresponding to the interpolator limitation of claim 8, and is therefore considered allowable. Claim 19 depends from claim 18. As claim 18 is considered allowable, claim 19 is considered allowable for at least the same reasons.

Accordingly, it is respectfully requested that the rejection of claims 2, 3, 15, and 19 under 35 U.S.C. § 103(a) as being unpatentable over Steinberg in view of Fukuda, be reconsidered and withdrawn.

**CONCLUSION**

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee,

Application No. 09/523,367  
Amendment dated September 24, 2004  
Reply to Office Action of May 26, 2004

and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's  
Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By: Mark A. Dodd  
Mark A. Dodd  
Registration No. 45,729  
Attorney for Applicant

MAD/lb:jkk:bar  
SIDLEY AUSTIN BROWN & WOOD LLP  
717 N. Harwood, Suite 3400  
Dallas, Texas 75201  
Direct: (214) 981-3481  
Main: (214) 981-3300  
Facsimile: (214) 981-3400  
September 24, 2004

DA1 301328v5